

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
Eastern Division

In Re:)	BK No.: 14-12441
)	
Alfredo Tadalán,)	Chapter: 13
)	Honorable Eugene R. Wedoff
)	
Debtor(s))	
)	Adv. No.: 15-0395
Alfredo Tadalán,)	
)	
Plaintiff(s))	
LVNV Funding, LLC and)	
Resurgent Capital Services)	
)	
Defendant(s))	

Order Granting Motion To Dismiss

Before the court for ruling is the motion of defendants LVNV Funding, LLC and Resurgent Capital Services ("Defendants"), pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure (made applicable by Fed. R. Bank. P. 7012(b)), to dismiss the adversary complaint of debtor-plaintiff, Alfredo Tadalán. The court takes judicial notice that while the Plaintiff appeared pro se at the commencement of his Chapter 13 case, he has been represented by counsel throughout the above captioned adversary proceeding. The court also takes judicial notice that the Plaintiff's Chapter 13 plan, as confirmed is not a 100% plan so that the filing of the Proof(s) of Claim complained of by the Plaintiff-Debtor had no impact on the Plaintiff- Debtor.

It is thereby ordered that, for the reasons stated and rationale articulated in this court's decision in In re LaGrone, 525 B.R. 419 (Bankr. N.D. Ill. 2015), Defendants' Motion to Dismiss is granted. For the reasons stated and rationale articulated in this court's decision in In re LaGrone, 525 B.R. 419 (Bankr. N.D. Ill. 2015) this Order comprises the court's proposed findings of fact and conclusions of law because this is a non-core matter.

Enter:



Dated: **15 OCT 2015**

United States Bankruptcy Judge

Prepared by:

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